

REGULAR COUNCIL MEETING
MONDAY, APRIL 1, 2019
COUNCIL CHAMBERS
www.lackawannany.gov

Regular session of the Lackawanna City Council met in the Council Chambers, Council President Annette Iafallo presiding. The meeting was preceded by the Pledge of Allegiance led by Council President Annette Iafallo.

Meeting called to order

NB: Meeting being recorded

Roll Call: Council: Present: Ingram, Schultz, Surdyke, Iafallo

Excused: Jaworski

Dept. Heads: Present: Law, Development, Comptroller, Recreation, Public Works, Recreation

Approval of Minutes: of regular meeting of March 18, 2019

Moved by Iafallo seconded by Schultz to adopt minutes of regular meeting of March 18, 2019 as written

Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

Departmental Reports:

1. **City Comptroller-** A/P Check Listing #34, dated March 14, 2019

2. **City Comptroller-** A/P Check Listing #35, dated March 21, 2019

Moved by Iafallo seconded by Schultz to receive and file departmental reports one and two

Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

Communications from Department/Division Heads:

DPW-Overtime

3. To: City Council

Please approve the attached ordinance to increase overtime for Streets and Buildings. The additional funding is necessary to cover the overtime for the snow storms this past winter.

If you have any questions please feel free to contact me.

CAROLYN A. NICOMETO-CITY COMPTROLLER

Moved by Iafallo seconded by Surdyke to receive and file, act on ordinance

Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

3. (A) AN ORDINANCE AMENDING THE 2018-2019 BUDGET ORDINANCES ADOPTED JUNE 12, 2018

BE IT ENACTED by the City Council of the City of Lackawanna, New York as follows:

SECTION 1. That the 2018-2019 Budget Ordinance adopted June 12, 2018 is hereby amended to increase payroll appropriations for Personal Services Overtime-Maintenances of Streets A.5110.102 and Personal Services Overtime-Buildings A.1620.102.

SECTION 2. That the 2018-2019 Budget Ordinance is hereby amended to increase by \$15,000.00 to Budget Code A.5110.102 Personal Services Overtime-Maintenance of Streets.

SECTION 3. That the 2018-2019 Budget Ordinance is hereby amended to increase by \$2,000.00 to budget Code A.1620.102 Personal Services Overtime-Buildings

SECTION 4. That the 2018-2019 Budget Ordinance is hereby amended to decrease Fund Balance by \$17,000.00

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Iafallo seconded by Surdyke to adopt ordinance as written
Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

High Intensity Drug Trafficking Areas Program

4. To: City Council

Please approve the attached contract for the High Intensity Drug Trafficking Areas Program which is a reimbursement Federal Grant. (Complete contract on file in the Clerk's Office)

If you have any questions please feel free to contact me.

CAROLYN A. NICOMETO-CITY COMPTROLLER

Moved by Iafallo seconded by Schultz to approve request

Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

Budget Reductions Police and Fire

5. To: City Council

The Mayor is requesting to reduce the Fire budget for retired personnel.

If you have any questions please feel free to contact me.

CAROLYN A. NICOMETO-CITY COMPTROLLER

Moved by Iafallo seconded by Ingram to **TABLE** pending further information

Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

Fire Department-Retiree

6. To: City Council

Please be advised that Kevin Burke of Fire Department has retired March 22, 2019.

If you have any questions please feel free to contact me.

CAROLYN A. NICOMETO-CITY COMPTROLLER

Moved by Iafallo seconded by Schultz receive and file

Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

Fire Department-Purchase Ladder Truck

7. To: City Council

I would like permission to purchase a ladder truck for sale by the village of East Aurora in the amount of \$8,000. This ladder truck would be used as a reserve ladder truck replacing the current reserve truck, L4,

which cannot pass an aerial test and has high maintenance costs. I would like to make this purchase with money allocated in my budget under 3410.0443 Repairs to Equipment.

This truck is owned by the Village and has been operated by the East Aurora fire Department. The truck is in excellent shape and has passed both NFPA pump tests and aerial tests. I believe that for \$8,000 the truck is a bargain and will provide more safety to firefighters and the community.

I would like permission to sell our current reserve truck, L4, once we put the new aerial into service.

If you have any questions feel free to contact me.

RALPH GALANTI-FIRE CHIEF

Moved by Iafallo seconded by Surdyke to approve request

Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

NYS Emergency Services Revolving Loan

8. To: City Council

In order to apply for the NYS Emergency Services Revolving Loan a resolution from the City Council must be passed in support of this loan and to submit an application.

This loan will be used to pay a portion of the new fire pumper which was authorized for purchase during the December 17, 2018 meeting of the City Council. The expected delivery date and final payment will be December 2019.

I ask your Honorable Body to please the attached resolution.

If you have any questions please feel free to contact me.

RALPH GALANTI-FIRE CHIEF

Moved by Iafallo seconded by Surdyke to receive and file, act on resolution

Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

8. (A) RESOLUTION #6, 2019

WHEREAS, that the City of Lackawanna Fire Department is desirous of submitting an application to the application to the New York State Emergency Services Loan Program for funds for firefighting equipment, and

WHEREAS, the City of Lackawanna is being asked to support the application for funds

NOW, THEREFORE, BE IT

RESOLVED, that James Fino, Fire Chief of the City of Lackawanna is hereby authorized to submit an application to the New York State Emergency Service Loan Program in the amount of \$375,000.00, and it is further

RESOLVED, that James Fino, is hereby authorized on behalf of the City of Lackawanna to execute all financial and/or administrative documents/processes relative to this program

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

Moved by Surdyke seconded by Iafallo to adopt resolution as written

Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

AT&T Equipment Upgrades at Existing Telecommunications Tower Next to Veterans Stadium

9. To: City Council

AT&T has applied for a building permit to upgrade equipment at its existing telecommunications tower next to Veterans Stadium. This project involves the placing together of new transmission equipment at an existing facility that does not substantially change the dimensions of such facility. Since the City does not have, on staff, the engineering expertise to review the application, Clark Patterson was asked to review the plans. This project does not require City planning Board approval but it does require City Council approval as the existing AT&T Telecommunications Tower is located on property leased to AT&T from the City.

As long as AT&T allows the City Engineering Consultant to make periodic inspections during the equipment upgrade every other component of this project complies and conforms to City Code. Attached is the formal cover letter request submitted on behalf of AT&T. If we do not act on this request tonight it will automatically be approved by the Federal Communications Commission as their request is independent of any agreement we presently have to collect additional fees for transmission connections to other existing networks.

I recommend the approval of the AT&T Telecommunications Tower equipment upgrade contingent on allowing our engineering consultant to perform periodic inspections, based on the project analysis done by Clark Patterson, the City’s Engineering Consultant contingent on allowing our consultant to perform periodic inspections. Thank you in advance for your cooperation, consideration and assistance on this matter.

DREW SHAPIRO-DIRECTOR of DEVELOPMENT

Moved by Iafallo seconded by Schultz to approve request

Yeas: Ingram, Schultz, Iafallo

Nays: Surdyke

Carried 3-1

Annual NYCOM Meeting

10. To: City Council

I am requesting permission to attend the Annual Meeting and Training Session for New York State Conference of Mayors (NYCOM) to be held May 5, 6, & 7, 2019 in Cooperstown, NY.

The funds are currently available in my 2019 Travel Allowance, budget code A.1410.0464.

Thank you for your time and consideration in this matter.

JEFFREY P. DEPASQUALE- CITY CLERK

Moved by Iafallo seconded by Schultz to approve request

Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

Consulting Fees

11. To: City Council

I request that the Council approve to increase line item A.1440.469 Engineering-Consulting Fees by \$12,000.00. See ordinance for further information.

ANTHONY DESANTIS-COMMISSIONER of PUBLIC WORKS

Moved by Iafallo seconded by Schultz to receive and file, act on ordinance

Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

11. (A) AN ORDINANCE AMENDING THE 2018-2019 BUDGET ORDINANCES ADOPTED JUNE 12, 2018

BE IT ENACTED by the City Council of the City of Lackawanna, New York as follows:

SECTION 1. That the 2018-2019 Budget Ordinance adopted June 12, 2018 is hereby amended to increase appropriations for Engineering-Consulting Fees and decrease appropriations for Special Items-Contingent Account

SECTION 2. That the 2018-2019 Budget Ordinance is hereby amended to add \$12,000.00 to budget code A.1440.469 Engineering-Consulting Fees

SECTION 3. That the 2018-2019 Budget Ordinance is hereby amended to appropriate \$12,000.00 of budget code A.1900.1990 Special Items-Contingent Account

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Iafallo seconded by Ingram to adopt ordinance as written

Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

Budget Transfer-Snow Removal

12. To: City Council

I request that the Council approve to increase line item A.5142.414 Salt by \$23,822.72. See ordinance for further information.

I request that the Council approve to increase line item A.5142.252 Snow Removal Plow Blades by \$368.37. See ordinance for further information.

ANTHONY DESANTIS-COMMISSIONER of PUBLIC WORKS

Moved by Iafallo seconded by Schultz to receive and file, act on ordinance

Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

12. (A) AN ORDINANCE AMENDING THE 2018-2019 BUDGET ORDINANCES ADOPTED JUNE 12, 2018

BE IT ENACTED by the City Council of the City of Lackawanna, New York as follows:

SECTION 1. That the 2018-2019 Budget Ordinance adopted June 12, 2018 is hereby amended to increase appropriations for Snow Removal-Salt A.5142.414 and Snow Removal Plow Blades A.5142.414

SECTION 2. That the 2018-2019 Budget Ordinance is hereby amended to increase by \$23,822.72 to budget code A.5142.414 Snow Removal-Salt

SECTION 3. That the 2018-2019 Budget Ordinance is hereby amended to increase by \$368.37 to budget Code A.5142.252 Snow Removal Plow Blades, Shoes and Parts

SECTION 4. That the 2018-2019 Budget Ordinance is hereby amended to decrease Fund Balance by \$24,191.09

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Iafallo seconded by Ingram to adopt ordinance as written

Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

DPW Personnel

13. To: City Council

I request that the Council approve the movement of one streets laborer to the position of streets motor equipment operator. See ordinance for more information.

ANTHONY DESANTIS-COMMISSIONER of PUBLIC WORKS

Moved by lafallo seconded by Surdyke to receive and file, act on ordinance

Yeas: Ingram, Schultz, Surdyke, lafallo

Carried 4-0

13. (A) AN ORDINANCE AMENDING THE 2018-2019 BUDGET ORDINANCES ADOPTED JUNE 12, 2018

BE IT ENACTED by the City Council of the City of Lackawanna, New York as follows:

SECTION 1. That the 2018-2019 Budget Ordinance adopted June 12, 2018 is hereby amended to decrease Laborers by 1 for Maintenance of Streets and increase Motor Equipment Operators by 1

SECTION 2. That the 2018-2019 Budget Ordinance is hereby amended to decrease \$17, 000.00 to budget code A.5110.101 Maintenance of Streets-Personal Services sub account Laborers

SECTION 3. That the 2018-2019 Budget Ordinance is hereby amended to increase \$17,000.00 to budget code A.5110.101 Maintenance of Streets-Personal Services sub account Motor Equipment Operators

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by lafallo seconded by Schultz to adopt ordinance as written

Yeas: Ingram, Schultz, Surdyke, lafallo

Carried 4-0

Lawn Mowing and Landscaping Bids

14. To: City Council

After reviewing the 2019 Lawn Mowing and Landscaping Bids, I recommend that your honorable body reject all bids and waive any informality therein, as the City has the right to do as per the bid advertisement.

I am also requesting the City Council direct the City Clerk to re-advertise for bids the 2019 Lawn Mowing and Landscaping contract.

Thank you for your time and consideration.

BRIAN LASKO-DIRECTOR of RECREATION

Moved by lafallo seconded by Ingram to approve request and direct the City Clerk to re-advertise for bids

Yeas: Ingram, Schultz, Surdyke, lafallo

Carried 4-0

Communications from Citizens:

“Taste of Lackawanna”

15. To: City Council

The Lackawanna Youth Empowerment Program Inc. will be hosting its 12th Annual “Taste of Lackawanna”. This event will be held Saturday, June 1, 2019. Set up begins at 9 a.m., but the actual event will be held from 12 p.m. until 8 p.m.

We are requesting permission to block off O'dell Street, between Ingham Ave and Wilmuth Street between the hours listed above.

Any further details needed, please contact our President at the phone number listed below. We thank you in advance for your support.

WADE TURNER-PRESIDENT

Moved by Iafallo seconded by Schultz to approve request, refer to Public Safety Director & DPW Commissioner

Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

Community Fun Days

16. To: City Council

The Lackawanna Community Fun Day Planning Committee would like to thank you for your support of our efforts to unify the City of Lackawanna and provide residents with access to important resources for the past seven years. With your support, we are changing the spectrum of the event to promote Lackawanna's Community Fun Day Event.

It is important that we gain your support to keep the momentum going and begin to start planning for Lackawanna Community Fun Day Event 2019. This year we are taking a different approach to the event by having a three day event at the Jeffrey Taggart Memorial Park on August 23 thru August 25, 2019.

The Lackawanna Fun Day Planning Committee is requesting your approval for the following:

1. All of our events outlined included with this letter.
2. The use of the City of Lackawanna's portable restroom for our main event, August 23 thru August 25 at Jeffrey Taggart Memorial Playground
3. The use of the City of Lackawanna Stage
4. The use of Wilkesbarre St. in the City of Lackawanna for our Youth Parade on August 24 from 11 am- 11:45 am, which will run along Wilkesbarre St. from the Friendship House to the Jeffrey Taggart Memorial Playground and take approximately 45 minutes.
5. Request Council approval to block-off O'Dell Street between Ingham Ave. and Wilmuth St., on Saturday, August 24, 2019 between the hours of 9:00 am and 8:00 pm for the 8th Annual Community Fun Days Event

You will receive an update of our 2019 schedule of events in a couple of weeks our goal is to strengthen our partnership with you and make you a part of our event. The City of Lackawanna's residents have shown an interest in seeing this event grow and we plan to work with the community to make sure it continues to be a success.

The purpose of Lackawanna Community Fun Day is to provide the community with a safe and fun environment to celebrate our community and its diversity while giving Lackawanna youth the opportunity to access important resources and information to improve their quality of life. Your support is critical and we would not have been successful without you. 2019 is here and we hope to continue working with you for years to come.

JOHN INGRAM-CHAIRMAN

Moved by Iafallo seconded by Ingram to approve request, refer to the Public Safety Director, DPW Commissioner, and Law & Director of Recreation

Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

Business Registration:

Donald Schreiber, Jr.-**Lackawanna Self Storage, LLC**- 3380 South Park Ave.

Moved by Surdyke seconded by Iafallo to approve business registration

Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

Entertainment License:

Nite Cappe-Stephen Sabuda-1769 Abbott Rd.-Class 1-Live Music/Mechanical Reproduction

Moved by Surdyke seconded by Iafallo to approve license

Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

Adjournment:

Moved by Iafallo seconded by Ingram meeting adjourned

Yeas: Ingram, Schultz, Surdyke, Iafallo

Carried 4-0

Annette Iafallo-Council President

Jeffrey P. DePasquale- City Clerk